

SENATE BILL 2083

By Crowe

AN ACT to amend Tennessee Code Annotated, Title 55,  
relative to offenses involving motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 10, Part 3, is amended by adding a new section thereto, as follows:

Section 55-10-318. In addition to any other penalty imposed, there shall be the following additional fines imposed upon the following offenses:

(1) Driving while license is suspended or revoked, as prohibited by § 55-50-504 – two hundred and fifty dollars (\$250);

(2) Reckless driving, as prohibited by § 55-10-205 – three hundred and fifty dollars (\$350);

(3) Driving while intoxicated or drugged, as prohibited by § 55-10-401 – seven hundred and fifty dollars (\$750);

(4) Drag racing, as defined and prohibited by § 55-10-501 – four hundred dollars (\$400);

(5) Any other misdemeanor violation for a driving or motor vehicle related violation – three hundred dollars (\$300); and

(6) Any felony violation for a driving or motor vehicle related violation – one thousand dollars (\$1,000).

SECTION 2. Any person with a Tennessee driver license who accumulates four (4) or more points on such person's driving record pursuant to § 55-50-505 shall be assessed a fee of one hundred dollars (\$100) plus seventy-five dollars (\$75.00) for each point greater than four (4), provided that no person shall be charged more than seven hundred dollars (\$700) under this section.

SECTION 3. The commissioner shall assess the fees imposed by this act within thirty (30) days of the conviction being reported to the department .

SECTION 4. The department shall notify persons assessed a fee pursuant to this act by mailing a notice thereof by first-class mail addressed to such person's most recent address as shown in the department's records, and such mailing shall constitute notice to the person of the assessment of the fee. If any assessment made under this section remains unpaid after sixty (60) days from the date on which the notice of assessment was mailed, the department shall suspend the driver license of the person against whom the assessment was imposed. No license shall be reissued or reinstated until all fees assessed have been paid.

SECTION 5. In the event a person disputes a conviction on such person's driver's record based upon identity, if the person presents the department a certified copy of a petition to a court of competent jurisdiction seeking to vacate an order of such conviction, the department shall suspend the imposition of the assessment. Such suspension shall be valid for one (1) year from the date of the commencement of the petition, or until thirty (30) days after an entry of a final order on such petition, whichever occurs first.

SECTION 6. The first thirty-five million dollars (\$35,000,000) collected annually from the implementation of this act shall be shall be allotted to the department of transportation for the construction and maintenance of highways, roads and bridges. The next twenty-five million dollars (\$25,000,000) collected annually from the implementation of this act shall be allotted by the commissioner of finance and administration to hospitals in Tennessee that provide trauma services to its patients. All other revenues shall be deposited in the general fund.

SECTION 7. This act shall take effect July 1, 2007, the public welfare requiring it.